REMARKS

The Non-Final Office Action, mailed September 20, 2007, considered claims 1, 3-44 and 46-51. Claims 1, 19-24, 40, 45 and 50 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dawson et al (US 6,230198), hereinafter *Dawson*, in view of Pankovein et al (US Patent 7,111,075 B2), hereinafter *Pankovein*, in view of Godbole et al (US 5,768475), hereinafter *Godbole* and further in view of Kougiouris et al (US 2005/0028171 AI), hereinafter *Kougiouris*.[1][2]

By this amendment claims 1, 23, 41-44 and 46-51 have been amended and new claim 52 has been added.[3] Claim 40 has been cancelled. Accordingly, claims 1, 3-39, 41-44 and 46-52 are pending, of which claims 1, 22, 23 and 52 are the only independent claims at issue.

The present invention is generally directed to logging messages during the testing of a software application. For example, claim 1 defines receiving a configuration request, where the

---

[1] Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

[2] Other claim rejections include the following: Claims 3, 33-39, 46 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Dawson* in view of *Pankovein* in view of *Godbole* in view of *Kougiouris*, and further in view of Elmore et al (US 2006/0059107 AI). Claims 4, 9, 25, 28, 29, 43, 51 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Dawson* in view of *Pankovein* and further in view of *Godbole* in view of *Kougiouris*, and further in view of Austen et al (US 6,842870 B2). Claims 6-8, 41-42 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Dawson* in view of *Pankovein* in view of *Godbole* in view of *Kougiouris*, and further in view of Josyula et al (US 2004/0028059 AI). Claims 10, 13-14 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Dawson* in view of *Pankovein* in view of *Godbole* in view of *Kougiouris*, and further in view of Currey et al (US 6,769079 Bl). Claims 11 and 47 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Dawson* in view of *Pankovein* in view of *Godbole* in view of *Kougiouris* in view of Currey et al (US 6,769079 Bl) and further in view of Chirashnya et al (US. Patent 6,598179 B 1). Claim 12 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Dawson* in view of *Pankovein* in view of *Godbole* in view of *Kougiuris* in view of Currey et al (US 6,769079 Bl) and further in view Suwaki (Event Report Management method). Claims 15 and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Dawson* in view of *Pankovein* and further in view of *Godbole* in view of *Kougiouris* in view of Currey et al (US 6,769079 Bl) and further in view of Maurille (US 6,484,196 B 1). Claim 26 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Dawson* in view of *Pankovein* in view of *Godbole* in view of *Kougiuris* and further in view Suwaki (Event Report Management method). Claim 27 was rejected under 35 U.S.C. 1 03 (a) as being unpatentable over *Dawson* in view of *Pankovein* in view of *Godbole* in view of *Kougiuris* and further in view of Chirashnya et al (US. Patent 6,598179 B1). Claims 30 and 31 was rejected under 35 U.S.C. 1 03 (a) as being unpatentable over *Dawson* in view of *Pankovein* in view of *Godbole* in view of *Kougiuris*, and further in view of Mohan (US. Patent 5,418940). Claim 32 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Dawson* in view of *Pankovein* in view of *Godbole* in view of *Kougiuris*, and further in view of Elmore et al (US 2006/0059107 AI). Claim 44 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Dawson* in view of *Pankovein* in view of *Godbole* in view of *Kougiuris*, and further in view of Josyula et al (US 2004/0028059 AI). Claims 48 and 49 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Dawson* in view of *Pankovein* in view of *Godbole* in view of *Kougiuris*, and further in view of Maurille (US 6,484,196 Bl).

[3] Support for the amendments to the claims are found throughout the specification and previously presented claims, including but not limited to paragraphs [0037], [0039], [0041], [0055], [0090] and Figures 2 & 4.

configuration request indicates a selection of a set of one or more logging software objects separate from the application being tested that are to be instantiated for logging messages in a format different than the format used by the application being tested. The configuration request further indicates a plurality of configuration settings for each logging software object. The configuration settings include which type of information is to be logged by the logging software object and the format of the information that is to be logged, the information type, format type and members of the selected set of logging software objects having each been dynamically entered by a computer user.

Next, claim 1 defines instantiating the set of one or more logging software objects according to the received configuration request, where each logging software object of the set is individually instantiated according to the logging software format and type of information that is to be logged indicated in the configuration request. Next, claim 1 defines receiving a request to log a message from the application being tested. Lastly, claim 1 defines publishing the message to the dynamically selected set of one or more logging software objects defined in the configuration request, the publishing comprising creating a trace object that includes the message formatted in a uniform format that is utilized by each logging software object selected by the computer user to receive the logging messages.

Claim 22 is a computer program product claim corresponding to claim 1. Claim 23 is a system claim similar to claim 1. Claim 52 is a method claim including the subject matter from claim 5 that was indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants respectfully submit that the cited art of record does not anticipate or otherwise render the amended claims unpatentable for at least the reason that the cited art does not disclose, suggest, or enable each and every element of these claims.

35 U.S.C. 103 Rejections

Dawson describes a method and system for providing server-to-server event logging (Abs.) *Dawson* describes using specialized tags that indicate a source trail thereby avoiding unnecessary duplication of event logs between servers (Col. 2:9-36). Event messages contain an event identifier, pertinent text and a source trail indicating origin. *Pankovein* describes a method and system for processing data records having multiple formats. Each data record has a plug-in

for each format used in the document. Each plug-in module, in turn, has a uniform interface for accessing the data (Col. 6:39-63).

Godbole describes a method and apparatus for automatically constructing a data flow architecture. In Godbole, a user can control how the raw data will be stored by selecting a transform (Col. 3 38-43). The selectable transform is an expression that specifies some modifications or method of transforming the variables in a data set (Col. 1:47-50). However, only the transform type is user-selectable. Kougiouris describes a method and system for enabling multiple processes to efficiently log events (par. [0009]). Processes on different computer systems may call a server-side logging component to log events via a client-side logging component instance associated with the process without requiring the logging code to be recompiled (pars. [0008]-[0011]). Kougiouris further describes dynamic filtering of events and event types (par. [0060]).

However, none of the cited art teaches or suggests receiving a configuration request, where the configuration request indicates a selection of a set of one or more logging software objects separate from the application being tested that are to be instantiated for logging messages in a format different than the format used by the application being tested. The configuration request further indicates a plurality of configuration settings for each logging software object. The configuration settings include which type of information is to be logged by the logging software object and the format of the information that is to be logged, the information type, format type and members of the selected set of logging software objects having each been dynamically entered by a computer user, as recited in claim 1.

Furthermore, none of the cited art teaches or suggests instantiating the set of one or more logging software objects according to the received configuration request, where each logging software object of the set is individually instantiated according to the logging software format and type of information that is to be logged indicated in the configuration request, as recited in claim 1. At least for either of these reasons, claim 1 patentably defines over the art of record. At least for either of these reasons, claims 22 and 23 also patentably define over the art of record. Since each of dependent claims 3-21 and 24-39 depend from one of claims 1 and 23, each of dependent claims 3-21 and 24-39 also patentably define over the art of record for at least either of the same reasons. Claim 52 includes the subject matter of claim 5 indicated as allowable by

the Examiner. Thus, dependent claims 41-51, which depend from claim 52, are allowable for at least the same reasons.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

Dated this 20th day of December, 2007.

Respectfully submitted,

/GREGORY R. LUNT/

RICK D. NYDEGGER
Registration No. 28,651
GREGORY R. LUNT
Registration No. 57,354
Attorneys for Applicant
Customer No. 47973

GRL:ds
DS0000008455V001